

भारत सरकार
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
एकीकृत क्षेत्रीय कार्यालय,
अरण्य भवन, नार्थ ब्लॉक,
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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
INTEGRATED REGIONAL OFFICE
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F.No. FC-I/IROCH-04/2021 / 388

Date: 26/11/2021

To,

The Principal Secretary (Forests),
Govt. of Chhattisgarh,
Mahanadi Bhawan, Naya Mantralya,
Naya Raipur (CG).

Sub: Diversion of 0.011 forest land for non-forest purpose under Forest Conservation Act, 1980 proposed for laying of underground 11 KV cable in forest patch for evacuation of power from HIL 3 MW Solar power Plant near GP IV/4 Coal Mine and end at GP IV/5 Coal Mine Sub Station in Milupara, Tehsil- Tamnar, District- Raigarh-reg.

Sir,

Kindly refer to the State Government of Chhattisgarh letter no. krmank/F-5-12/2020/10-2 dated 12.01.2021 on the above subject seeking prior approval of the Central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980 and to say that after careful examination of the proposal of the State Government, 'in-principle' approval was accorded by the Central Government vide letter of even number dated 17.02.2021. Now, the State Government of Chhattisgarh, vide letter no. krmank/F-5-12/2020/10-2 dated 16.09.2021 has submitted a report on the compliance of conditions stipulated in the 'in-principle' approval and requested the Central Government to grant final approval to the proposal.

In this connection, It is informed that on the basis of compliance report submitted by the State Government of Chhattisgarh, vide letter no. krmank/F-5-12/2020/10-2 dated, 16.09.2021, the Central Government hereby accords **Final Approval** under Section - 2 of the Forest (Conservation) Act, 1980 for Diversion of 0.011 forest land for non-forest purpose under Forest Conservation Act, 1980 proposed for laying of underground 11 KV cable in forest patch for evacuation of power from HIL 3 MW Solar power Plant near GP IV/4 Coal Mine and end at GP IV/5 Coal Mine Sub Station in Milupara, Tehsil- Tamnar, District- Raigarh subject to the fulfilment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- ii. **Compensatory afforestation**
 - (a) The State Forest Department shall undertake plantation of 10 times number of trees to be felled over degraded forest land as compensatory afforestation, in lieu of forest land being diverted at the cost of the User Agency, including 10% RET species of Raigarh District.

- iii. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- iv. **NPV:**
 - (a) The State Government shall charge the Net Present Value(NPV) for the 0.011 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard;
 - (b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;
- v. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- vi. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>);
- vii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- viii. User Agency shall develop a separate nursery at one or more places to raise at least 2500 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local every year. At least 50% of seedlings shall be planted by User Agency in the vicinity of project area including forest area and for better relation with local people residing in vicinity of proposed road, User Agency shall voluntarily distribute remaining 50% of seedlings to them free of cost. A compliance report including species wise details of seedlings raised, location of plantation area and details of villagers whom seedlings have been distributed need to be prepared every six month and submitted to Regional Office of MoEF&CC;
- ix. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- x. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xi. No labour camp shall be established on the forest land;

- xii. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- xiii. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
- xiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xv. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xvi. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xvii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xviii. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018;
- xix. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;
- xx. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

Yours faithfully,

Chaturbhuja Behera
Chaturbhuja Behera
Inspector General of Forests

Copy to:

1. The PCCF & HoFF, Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Naya Raipur (CG).
2. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Naya Raipur (CG).
3. User Agency.
4. Guard File.

Chaturbhuja Behera
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Inspector General of Forests